

REMARKS

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1, 3 and 17 have been amended. Claim 13 have been canceled without prejudice or disclaimer. New claims 40-43 have been added. No new matter has been added.

This amendment adds, changes and deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

After amending the claims as set forth above, claims 1-12 and 14-43 are now pending in this application.

Claim objections

Claims 1 and 17 were objected to for informalities. In response, claims 1 and 17 have been amended, thus overcoming the objection.

Allowable subject matter

Applicant appreciates the indication that claims 13, 31 and 34 contain allowable subject matter. Claim 1 has been amended to include the subject matter of claim 13, which depended from claim 1. Claim 1 is thus in *prima facie* condition for allowance. Claims 2-12, 14-16 and 41 ultimately depend from claim 1 and are thus likewise in *prima facie* condition for allowance.

Rejections under 35 U.S.C. §§ 102 and 103

Claims 1-6, 8, 10-12 and 14-16 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,351,394 to Enk (hereafter "Enk"). Claims 1, 5-10, 12-28, 30, 32, 33 and 35-39 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,065,546 to Uetake et al. (hereafter "Uetake") in view of U.S. Patent No. 6,415,870 to Matsuoka (hereafter "Matsuoka"). These rejections are moot with respect to claims 1-12, and 14-16 in light of the amendment to claim 1 to include subject matter indicated as allowable (claims 2-12 and 14-16 ultimately depend from claim 1). With respect to claims 17-30, 32-33 and 35-39, applicant respectfully traverses.

Independent claim 17 recites “at least one damage sensor indicative of physical damage to at least one of the piping network, the reservoirs, or the at least one valve.” Uetake fails to disclose such a damage sensor.

The Office Action on page 3 equates the temperature detecting sensor 5 of Uetake with the damage sensor of claim 17. By contrast to the damage sensor of claim 17, however, the temperature detecting sensor 5 of Uetake merely detects temperature in a desired region, the sensor 5 is not disclosed as indicating damage to any of a piping network, reservoirs, or valve of the Uetake system.

Matsuoka and Enk were cited for allegedly disclosing a plurality of reservoirs and water level sensors, and a halon fire suppression system, respectively, but fail to cure the deficiencies of Uetake. Thus, even if Uetake were combined with Matsuoka and Enk, the resulting system would not suggest a damage sensor as recited in claim 17.

New independent claim 40 has been added and recites “at least one damage sensor indicative of physical damage to at least one of the piping network, the reservoirs, or the at least one valve.” Thus, new claim 40 is likewise patentable over Uetake, Matsuoka and Enk for at least the reasons given above with respect to claim 17.

Moreover, claim 17 also recites “each said reservoir having a retardant level sensor”, a feature not suggested by Uetake, Matsuoka and Enk. The Office Action acknowledges that “Uetake does not disclose a plurality of reservoirs each with a level sensor”, but relies on Matsuoka as disclosing this feature. The water level detector 56 of Matsuoka, which the Office Action equates with the level sensor as claimed, is arranged in the branch pipe 24a, not in either the water tank 14 or auxiliary water tank 62, which the Office Action equates with the reservoirs as claimed. Thus, Matsuoka does not disclose reservoirs each with a level sensor as recited in claim 17. Therefore, even if Uetake, Matsuoka and Enk were combined, the resultant structure would not meet the limitations of claim 17.

Dependent claims 18-30, 32-33 and 35-39 ultimately depend from claim 17 and are patentable for at least the same reasons, as well as for further patentable features recited therein.

Applicant believes that the present application is now in condition for allowance.

Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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FOLEY & LARDNER LLP

Customer Number: 22428

Telephone: (202) 672-5485
Facsimile: (202) 672-539

By Thomas G. Bilodeau

Brian J. McNamara
Attorney for Applicant
Registration No. 32,789

Thomas G. Bilodeau
Attorney for Applicant
Registration No. 43,438